

# NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

## NOTICE OF RULEMAKING DOCKET OPENING

### CORPORATION COMMISSION FIXED UTILITIES

*Editor's Note: The following Notice of Rulemaking Docket Opening is exempt from Laws 2010, Ch. 287, § 18. (See the text of § 18 on page 1867.)*

[R10-131]

**1. Title and its heading:**

14, Public Service Corporations; Corporations and Associations;  
Securities Regulation

**Chapter and its heading:**

2, Corporation Commission – Fixed Utilities

**Article and its heading:**

25, Gas Utility Energy Utility Energy Efficiency Standards

**Section numbers:**

R14-2-2501, R14-2-2502, R14-2-2503, R14-2-2504, R14-2-2505, R14-2-2506, R14-2-2507, R14-2-2508, R14-2-2509, R14-2-2510, R14-2-2511, R14-2-2512, R14-2-2513, R14-2-2514, R14-2-2515, R14-2-2516, R14-2-2517, R14-2-2518, R14-2-2519, R14-2-2520

**2. The subject matter of the proposed rule:**

The purpose of Gas Energy Efficiency Standards is for affected utilities to achieve energy savings through cost-effective energy efficiency programs in order to ensure reliable gas service at reasonable rates and costs. Energy efficiency means the production or delivery of an equivalent level and quality of end-use gas service using less energy, or the conservation of energy by end-use customers. Cost-effective energy efficiency is less expensive than generating electricity and provides less impact on the environment. By December 31, 2020, the proposed rule would require affected utilities to achieve cumulative annual energy savings, expressed as therms or therm equivalents, equal to at least 6% of the affected utility's retail gas energy sales for calendar year 2019.

**The agency docket number, if applicable:**

RG-00000B-09-0428

**3. A citation to all published notices relating to the proceeding:**

Notice of Proposed Rulemaking: 16 A.A.R. 1836, September 17, 2010 (*in this issue*)

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Maureen Scott, Esq.  
Attorney, Legal Division, Arizona Corporation Commission

Address: 1200 W. Washington St.  
Phoenix, AZ 85007

Telephone: (602) 542-3402

Fax: (602) 542-4870

E-mail: mscott@azcc.gov

or

Name: Barbara Keene  
Public Utilities Analyst Manager, Arizona Corporation Commission

Address: 1200 W. Washington St.  
Phoenix, AZ 85007

Telephone: (602) 542-0853

Fax: (602) 364-2270

E-mail: bkeene@azcc.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Public comment will be held on October 28, 2010, beginning at 10:00 a.m. or as soon as practicable thereafter, in Hearing Room 1 at the Commission's Phoenix offices of the Arizona Corporation Commission located at 1200 W.

Notices of Rulemaking Docket Opening

Washington St., Phoenix, AZ 85007. Hearing requests initial written comments be received on or before October 18, 2010. Comments should be submitted to Docket Control at the above address. Please reference docket number RG-00000B-09-0428 on all documents. Oral comments may be provided at the proceeding to be held on October 28, 2010.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

The Commission will likely bring this to Open Meeting for final approval in late December 2010.

Notice of Proposed Rulemaking: 16 A.A.R. 1836, September 17, 2010 (*in this issue*)

**NOTICE OF RULEMAKING DOCKET OPENING**

**INDUSTRIAL COMMISSION OF ARIZONA**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2010-13 (hexavalent chromium) and Laws 2010, Ch. 287, § 18 (standards for steel erection) and authorized to proceed through the rulemaking process July 2, 2010 and August 19, 2010, respectively. (See the text of Executive Order 2010-13 at 16 A.A.R. 1183, July 2, 2010. The text of Laws 2010, Ch. 287, § 18 is on page 1867.)*

[R10-130]

**1. Title and its heading:**

20, Commerce, Financial Institutions, and Insurance

**Chapter and its heading:**

5, Industrial Commission of Arizona

**Article and its heading:**

6, Occupational Safety and Health

**Section numbers:**

R20-5-601, R20-5-602

**2. The subject matter of the proposed rule:**

In order to conform to the Federal Occupational Safety and Health Standards as required by Section 18(c) of the Federal Occupational Safety and Health Act of 1970 requiring State administered occupational safety and health programs to adopt standards that are at least as effective as those adopted by the U.S. Department of Labor, The Industrial Commission is amending R20-5-601 and R20-5-602, by incorporating by reference, amendments from 29 CFR 1926 Subpart Z and 29 CFR 1910 Subpart Z, Toxic and Hazardous Substances, as published in *Federal Register* 75 FR 126810-12686, March 17, 2010 and became a direct final rule effective June 15, 2010 and further amending R20-5-601, by incorporating by reference amendments from 29 CFR 1926 Subpart R, Steel Erection, published in the *Federal Register* 75 FR 27429, May 17, 2010.

This incorporation by reference specifically defines the employer's responsibility to notify workers of all Hexavalent Chromium exposure level monitoring results. The Steel Erection incorporation is a nonmandatory technical amendment that provides information regarding Federal Highway Administration regulations that may apply to employers engaged in activities covered by OSHA's steel erection standard. Copy of the incorporated by reference material is available for inspection or reproduction at the Arizona Division of Occupational Safety and Health, 800 W. Washington St., Room 203, Phoenix, AZ 85007, or can be downloaded from the Federal OSHA web site [www.osha.gov](http://www.osha.gov).

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: William M. Wright, Assistant Director

Address: Division of Occupational Safety and Health  
Industrial Commission of Arizona  
800 W. Washington St., Suite 203  
Phoenix, AZ 85007

Phone: (602) 542-1695

Fax: (602) 542-1614

E-mail: [wright.william.m@dol.gov](mailto:wright.william.m@dol.gov)

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be published in Notice of Proposed Rulemaking

**6. A timetable for agency decisions or other action on the proceeding, if known:**

Not yet known